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U. S. Department of Justice
Immigration and Naturalization Service

Final Administrative Removal Order

**FINAL ADMINISTRATIVE REMOVAL ORDER
UNDER SECTION 238(b) OF THE
IMMIGRATION AND NATIONALITY ACT**

BOP NO: 34446-054
FILE NO: A77 627 738
DATE: 8-10-00

To: PRI-HAR, Menachem
Address: LSCI ALLENWOOD, Allenwood, PA 17887
(Number, street, city, state, and ZIP code)
Telephone: N/A
(area code and phone number)

ORDER

Based upon the allegations set forth in the Notice of Intent to Issue a Final Administrative Removal Order and evidence contained in the administrative record, I, the undersigned Deciding Service Officer of the Immigration and Naturalization Service, make the following findings of fact and conclusions of law. I find that you are not a citizen or national of the United States and that you were not lawfully admitted for permanent residence. I further find that you have a final conviction of an aggravated felony as defined in section 101(a)(43)(M&U) of the Act, 8 U.S.C. 1101(a)(43) and are ineligible for any relief from removal that the Attorney General may grant in an exercise of discretion. I further find that the administrative record established by clear, convincing, and unequivocal evidence that you are deportable as an alien convicted of an aggravated felony pursuant to section 237(a)(2)(A)(iii) of the Act, 8 U.S.C. 1227(a)(2)(A)(iii). By the power and authority vested in the Attorney General and in me as the Attorney General's delegate under the laws of the United States, I find you deportable as charged, and order that you be removed from the United States to

Israel or to any alternate country prescribed by section 241 of the Act.

James W. Zerk

(Signature of Authorized INS Official)

Acting District Director
(Title of Official)

Philadelphia, PA

(Date and office location)

8-10-00

Petition for review: ☐ Waived by respondent
☐ Reserved by respondent

Certificate of Service

I served this FINAL ADMINISTRATIVE REMOVAL ORDER upon the above-named individual

8/16/00

ALLENWOOD, PA.

MAIL SERVICE

(Date, time, place and manner of service)

P.O. Box 1000
White Deer, PA 17887

[Signature]

(Signature and title of officer)

Attachment to Final Administrative Removal Order (I-851A)

RE: Menachem PRI-HAR, A77 627 738

I have considered all the information related to the Administrative Removal proceedings in your case. You have submitted a written response to the Notice of Intent to Issue a Final Administrative Removal Order on July 29, 1999. You were granted a final 30 days extension in order to submit your response. This extension expired on June 24, 2000. Your request for another extension to submit a response is denied.

I find that your alienage, conviction of an aggravated felony, and deportability are supported by clear convincing and unequivocal evidence. I also find that you are not a lawful permanent resident of the United States.

You have requested that you be allowed to pursue a waiver of inadmissibility under section 212(c) of the INA. However, you are statutorily ineligible for such relief. Section 212(c) of the INA was repealed by section 304(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. 104-207, 110 Stat. 3009 (effective April 1, 1997)(hereinafter "IIRIRA). This amendment to the INA applies to individuals placed in proceedings after April 1, 1997, the effective date of IIRIRA. Inasmuch as the instant proceedings were commenced against you on May 11, 2000, you are precluded from applying for relief under former section 212(c) of the INA as a matter of law.

Therefore, the decision on the Administrative Removal Order is final.